
Appeal Decision

Site visit made on 7 September 2020

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2020

Appeal Ref: APP/J3720/D/20/3254048

33 New Street, Shipston-on-Stour CV36 4EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs H Gauld against the decision of Stratford on Avon District Council.
 - The application Ref 20/00811/FUL, dated 16 March 2020, was refused by notice dated 28 May 2020.
 - The development proposed is a rear 2 storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for a rear 2 storey extension at 33 New Street, Shipston-on-Stour CV36 4EW in accordance with the terms of the application, Ref 20/00811/FUL, dated 16 March 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan Drawing Number 2103 – P3; Proposed Site Plan Drawing Number 2103 – P2; Existing Plans and Elevations Drawing Number 2103 – S1; and Proposed Plans and Elevations Drawing Number 2103 – P1 Rev A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue in the appeal is whether or not the proposed extension would provide adequate living conditions for the occupiers of the host property with particular regard to outdoor space.

Reasons

3. The appeal property is a small mid-terrace property close to the town centre. At the front it abuts the pavement and at the rear it has a small garden area. Housing in the area is mixed in terms of size, design, age and position in relation to the road but many, including a considerable number of new properties, occupy small plots, with very little outdoor space. This is not altogether unusual for residential properties close to the core of old towns.
4. The proposed two storey rear extension would clearly reduce the size of the garden, but enough space would remain to enable the storage of bins and

bicycles, and the provision of a seating area. Moreover, the amount of space that would remain would still be larger than that of some of the other dwellings in the immediate vicinity. As a result, the proposal would not make the appeal site appear out of keeping or over developed.

5. The Council have highlighted that Policy D3 of the *Development Requirements Supplementary Planning Document (adopted April 2019)* (SPD) requires a 2 bedroomed dwelling to have a minimum of 40 sqm of private outdoor space. However, these are standards for new dwellings and there is no indication within the policy that the standards should be applied to determining whether or not extensions to existing houses are appropriate. Thus, I only give them limited weight.
6. The appeal scheme would result in the host property having a second bedroom. Whilst the outdoor space would fall well below this minimum standard, it would still be provided with a small but useable area of outside space. Given the context of the local area, where many of the dwellings appear to fall far short of the requirements set out in the SPD, this size of garden area would not appear out of character with the scale and density of the locality.
7. Therefore, I am satisfied that the proposed extension would provide adequate living conditions for occupiers of the host property with regard to outdoor space. As a result, there would be no conflict with Policy CS.9 of the *Stratford-on-Avon Core Strategy 2011 -2031 (adopted July 2016)* or Policy ENV3 of the *Shipston on Stour Neighbourhood Development Plan (2016 – 2031) (made October 2018)* which seek to ensure a good standard of space and amenity for occupiers and that developments are of a density and scale that reflect the surrounding development.

Other Matters

8. The site is located within Shipston-on-Stour Conservation Area. The Council has indicated that it considers that the siting, design and proposed materials are such that the extension would not be detrimental to the character and appearance of the conservation area. Nothing I have seen or read leads me to come to a different conclusion in this respect. Consequently, I am satisfied that the proposal would preserve the character and appearance of the heritage asset.

Conclusion and Conditions

9. For the reasons set out above, I conclude the appeal should be allowed.
10. In addition to the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. In the interests of the character and appearance of the area a condition is required to control the external appearance of the extension.

Alison Partington

INSPECTOR